

S/N 10/807,832

Atty Dkt No. GP-303527/GM0462PUS

Remarks

This Amendment is intended to be fully responsive to the Office Action mailed October 4th, 2005.

In this Action, the Examiner has rejected claims 1, 8, 9 and 16 under 35 U.S.C §102(b) as being anticipated by Baxter. The Examiner indicates that Baxter teaches "first and second clutches (62 and 64, respectively) connected with an input shaft (14)". Claims 1 and 9 of the present Application require "first and second input clutches connected with an input member". However, the clutches 62 and 64 of Baxter are clearly not "input clutches connected with an input member". Clutches 62 and 64 are not "connected with an input shaft" and therefore cannot be "input clutches". Rather, Baxter's clutch 62 is provided to selectively ground the ring gear 42, and clutch 64 is provided to selectively connect the carrier 38 with the ring gear 42 (see column 4, line 33 – column 5, line 35 of Baxter). Neither clutch 62 or 64 is connected with an input shaft as required by independent claims 1 and 9. Accordingly, independent claims 1 and 9, and their respective dependent claims, are believed to be allowable for at least this reason.

Independent claim 9 has been further amended to recite: "wherein power flows through both of said transfer chains simultaneously in at least one of said two-wheel drive and four-wheel drive ratios". Support for this language is found at paragraphs 0024 and 0035 of the present application. Referring to paragraph 0024 of the present Application, the four-wheel drive high ratio is achieved by engaging the clutches 20 and 28. In this configuration, power flows from the input 14 through the clutch 20 through the transfer chain 24 to the front axle 16, and back through the transfer chain 26 and through the four-wheel drive clutch 28 to the rear axle 18. Accordingly, power flows simultaneously through both of the transfer chains 24 and 26 in the four-wheel drive high ratio. Also, referring to paragraph 0035 of the present Application, the rear wheel drive low ratio is achieved by engaging the first input clutch 120. In this configuration, torque is transferred from the input 114 through the clutch 120, through transfer chains 124 and 126, to the rear axle 118 via input power shaft. Accordingly, both chains 124 and 126 are active simultaneously.

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Conversely, the Baxter design has the rear axle on a different axis from the input, therefore power does not flow through both transfer chains simultaneously. Accordingly, regarding claim 9, in addition to the first and second input clutches, Baxter does not teach power flowing through "both of said transfer chains simultaneously in at least one of said two-wheel drive and four-wheel drive ratios" as required by amended claim 9.

Applicant notes with appreciation the indication of allowance of claims 18 and 19. The Examiner has also indicated that claims 2 – 5 and 10 – 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 6, 7, 14 and 15 are withdrawn.

Accordingly, it is respectfully submitted that all pending claims are in condition for allowance, which action is requested.

Respectfully submitted,

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S/N 10/807,832

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